

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MEGAN DONOHUE

v.

REGIONAL ADJUSTMENT BUREAU,
INC., et al.

:
:
:
:
:
:
:

CIVIL ACTION
NO. 12-1460

ORDER

AND NOW this 28th day of March 2013, upon consideration of defendant Enterprise Recovery Systems's motion to dismiss the second amended complaint (Dkt. No. 15) and plaintiff Meghan Donohue's response thereto (Dkt. No. 19) it is ORDERED that the motion to dismiss is

- 1) DENIED as to Count I of the Second Amended Complaint to the extent that it asserts violations of Section 1692(e) of the FDCPA against ERS;
- 2) GRANTED as Count I of the Second Amended Complaint to the extent that it asserts violations of Section 1692(d) and Section 1692(f) of the FDCPA against ERS such claims are dismissed. To the extent she can allege sufficient facts to do so, plaintiff is GRANTED leave to file an amendment to her second amended complaint only with respect to her claims against ERS pursuant to Section 1692(d) and Section 1692(f) of the FDCPA on or before April 29th, 2013; and
- 3) DENIED as to Count II of the Second Amended Complaint asserting violations of the FCUEA and UTPCPL against ERS.

/s/ Thomas N. O'Neill
THOMAS N. O'NEILL, JR., J.